

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

664A0172

SENATE BILL NO. 85

Introduced by: The Committee on Judiciary at the request of the Chief Justice

1 FOR AN ACT ENTITLED, An Act to divide aggravated assault into degrees.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 22-18-1.1 be amended to read as follows:

4 22-18-1.1. Any person who:

5 (1) Attempts to cause serious bodily injury to another, or causes such injury, under
6 circumstances manifesting extreme indifference to the value of human life;

7 (2) Attempts to cause, or knowingly causes, bodily injury to another with a dangerous
8 weapon;

9 (3) Attempts to cause or knowingly causes any bodily injury to a law enforcement officer
10 or other public officer engaged in the performance of his duties;

11 (4) Assaults another with intent to commit bodily injury which results in serious bodily
12 injury; or

13 (5) Attempts by physical menace with a deadly weapon to put another in fear of imminent
14 serious bodily harm;

15 is guilty of aggravated assault.

16 ~~Aggravated assault is a Class 3 felony.~~ An aggravated assault with a dangerous or deadly

1 weapon or an aggravated assault that results in serious bodily injury is aggravated assault in the
2 first degree. All other aggravated assaults are aggravated assault in the second degree.
3 Aggravated assault in the first degree is a Class 3 felony. Aggravated assault in the second
4 degree is a Class 5 felony.